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January 13, 2006

IN THE MATTER OF REQUEST FOR REVIEW BY BAY DISTRICT SCHOOLS OF DECISION OF UNIVERSAL SERVICE ADMINISTRATOR

RE: CC DOCKET NUMBER: 02-6
CC DOCKET NUMBER 96-45

REQUEST FOR WAIVER OF FORM 486 120-DAY DEADLINE

Applicant Name:	Bay County School District
Billed Entity Number:	127622
Form 471 Application Number:	398681
Form 486 Application Number:	314113
Funding Request Numbers:	1090162, 1090207

The Bay County School District is hereby appealing the Administrator's Decision on Appeal dated November 15, 2005, a copy of which is enclosed for your review, and is requesting a waiver of the Form 486 120-day filing deadline. The School District received its Funding Commitment Decision Letter (FCDL) for Form 471, which was dated January 11, 2005, and understood that the Form 486 was to be postmarked no later than 120 days after the date of the FCDL. Regrettably, the School District employee responsible for completion of the forms and compliance with applicable deadlines failed to timely submit Form 486. This School District employee explained that confusion during the Program Integrity Assurance (PIA) review contributed to the missed deadline. During April and May 2005, a period within which the Form 486 should have been timely filed, this employee was having difficulty communicating with PIA team member Zeshan Ahmed relating to funding year 2005. This employee became overwhelmed with paperwork and did not realize that the Form 486 was not filed until September 20, 2005. This employee had also been coping with the recent losses of both her long-time husband and her mother and she admits to

the grieving process causing duress. After realizing the Form 486 was not filed, the records were checked and the Form 486 was ultimately filed on September 29, 2005, admittedly late.

The School District cannot express its regret or apologize enough for missing this deadline. Complying with the filing requirements for E-Rate funds is a serious matter to Bay District Schools and the funding and discounts made available through this program are greatly relied upon. The School District's funds are limited and the E-Rate funding is crucial to the District's telecommunication services. Reduction of these funds and discounts will undoubtedly create financial hardships that will affect the programs provided to the students in our District.

This was the first time that Bay District Schools failed to submit the Form 486 within the 120-day deadline in its history of applying for E-Rate funds. Please be assured that the School District has put in place new safeguards to ensure that it never misses a deadline as important as this in the future.

Based upon the foregoing circumstances described above, the Bay County School District respectfully requests that the FCC waive the Form 486 120-day deadline and consider the September 29, 2005, filing as timely filed, thereby reversing the Administrator's Decision on Appeal dated November 15, 2005. Your consideration of this matter is greatly appreciated and we look forward to a continued relationship in the future.



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ATTORNEYS FOR BAY DISTRICT SCHOOLS

Enclosures (as stated)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Request for Waiver of Form 486 120-Day Deadline was mailed to the FCC, Office of the Secretary, 445 12th Street, S.W., Washington, DC 20554, this 13th day of January, 2006, with copies furnished to the following :

USAC Schools & Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, New Jersey 07981

James E. McCalister, Superintendent
Bay District Schools
1311 Balboa Avenue
Panama City, Florida 32401

Allen Boyd
U. S. Congressman
30 W. Government Street
Panama City, Florida 32401

Bill Nelson
U. S. Senator
716 Senate Hart Office Building
Washington, DC 20510



Kevin D. Obos

Enclosure (as stated)